



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON, D.C. 20370-5100

CRS
Docket No: 4185-00
19 October 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 18 October 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by the Chief of Naval Operations dated 26 August 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records.

Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO

Ser N09B33/OU518252
26 August 2000

From: Chief of Naval Operations (N09B33)
To: Chairman, Board for Correction of Naval Records
Subj: REQUEST FOR COMMENTS AND RECOMMENDATION IN THE CASE OF
[REDACTED]

Ref: (a) BCNR ltr AEG;jdh Docket No. 4185-00 of 12 Jul 00

Encl: (1) BCNR File
(2) Service Record

1. This is in response to reference (a) concerning SNI's request to have his Bronze Star Medal with Combat "V" upgraded to a Silver Star Medal.

2. The records of the Board of Decorations and Medal show that Former EN2 [REDACTED] was awarded the Bronze Star Medal with Combat "V" on 27 January 1968 and Former [REDACTED] was awarded the Silver Star Medal on 7 March 1968. Both awards were reviewed and approved by Commander in Chief, U.S. Pacific and later upheld by the Secretary of the Navy on 1 March 1968 and 28 March 1968, respectively.

3. Once an award recommendation has been reviewed and an award issued by a competent awarding authority, it can only be reconsidered upon submission of new, relevant, material evidence which was not previously available. The fact that the recipient disagrees with the approved award in itself is not sufficient to upgrade an award.

4. The information submitted by Former EN2 [REDACTED] is not sufficient to warrant reconsideration of his Bronze Star Medal "V" to a Silver Star Medal.

[REDACTED]
By direction